

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Serial No. : 10/634,155  
 Applicant : Hiroshi OGAWA et al.  
 Filed : August 4, 2003  
 Title : **METHOD AND APPARATUS FOR  
 DIGITAL WATERMARKING**  
 Examiner : Shewaye GELAGAY  
 Art Unit : 2137  
 Confirmation No. : 6333

**Mail Stop Issue Fee**

Commissioner for Patents

P.O. Box 1450

Alexandria VA 22313-1450

I hereby certify this correspondence is being electronically transmitted to the United States Patent and Trademark Office via the Office electronic filing system on September 23, 2009.  
 Signature: *Katy Chan-Parsons*  
 Katy Chan-Parsons

**STATEMENT OF THE SUBSTANCE OF THE INTERVIEW, COMMUNICATION  
 IN RESPONSE TO EXAMINER INTERVIEW SUMMARY OF August 21, 2009**

SIR:

In response to the Interview Summary (of August 21, 2009, for which the one-month response date for which is nominally September 21, 2009), our comments are as follows:

On August 11, 2009, Examiner Shewaye Gelagay had a phone conference with Aaron C. Deditch (reg. no. 33,865). Examiner Gelagay was authorized by Aaron C. Deditch to cancel non-elected and withdrawn claims 3, 4, 9, 10, 15, 16, and 21 to 24, since a divisional application is being filed as to these claims. It is believed that this response satisfies the request for Applicant to file a Statement of the Substance of the Interview (see pages 700-184 and 700-185 of the M.P.E.P.).

*It is noted, however, that the Interview Summary form that was used was PTOL-413, which states that Applicant is given one month from the Interview date or one month from its mailing date (August 21, 2009), whichever is later. However, since the interview was initiated by the Examiner, it is respectfully submitted that PTOL-413B should have been used, and since the case was allowed, the first box of Part III of that form should have provided that Applicant did not need to provide a separate record of the interview, since the interview directly resulted in the allowance of the Application, and since the Examiner provided a written summary of the substance of the interview in the Notice of Allowability (which was done here).*

As explained above, the Examiner Amendment and Interview Summary is correct so as to allow the case.

If Applicant had initiated the Interview, then PTOL-413 would have been the proper form to use. Since, however, the Examiner has sent form PTOL-413 (instead of PTOL-413B), it is believed that this response satisfies the request for Applicant to file a Statement of the Substance of the Interview (see pages 700-184 and 700-185 of the M.P.E.P.). The foregoing procedures are documented and explained in the M.P.E.P. At 713.04 (pages 700-182 to 700-186).

*While no fees are believed to be due, the Commissioner is authorized, as appropriate and/or necessary, to charge any fees (including any Rule 136(a) extension fees) or credit any overpayment to Deposit Account No. 11-0600. A duplicate copy of this transmittal letter is enclosed for that purpose.*

**CONCLUSION**

In view of the foregoing, it is respectfully submitted that all of the pending claims are allowed in view of the Notice of Allowability. It is therefore respectfully requested that the present application issue promptly.

Respectfully submitted,

Dated: 9/23/2009By: 

Aaron C. Deditch  
 (Reg. No. 33,865)  
 KENYON & KENYON LLP  
 One Broadway  
 New York, New York 10004  
 (212) 425-7200  
 CUSTOMER NO 26646